

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

VIACOM INTERNATIONAL, INC., COMEDY )  
PARTNERS, COUNTRY MUSIC )  
TELEVISION, INC., PARAMOUNT )  
PICTURES CORPORATION, and BLACK )  
ENTERTAINMENT TELEVISION, LLC, )

Plaintiffs, )

vs. )

NO. 07-CV-2203

YOUTUBE, INC., YOUTUBE, LLC, )  
and GOOGLE, INC., )

Defendants. )

THE FOOTBALL ASSOCIATION PREMIER )  
LEAGUE LIMITED, BOURNE CO., et al., )  
on behalf of themselves and all )  
others similarly situated, )

Plaintiffs, )

vs. )

NO. 07-CV-3582

YOUTUBE, INC., YOUTUBE, LLC, and )  
GOOGLE, INC., )

Defendants. )

VIDEOTAPED DEPOSITION OF CHAD HURLEY

SAN FRANCISCO, CALIFORNIA

WEDNESDAY, APRIL 22, 2009

BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CLR  
JOB NO. 16789

Figueira Decl. Tab

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1 HURLEY, CHAD 49-0002

2 clip, we would work together to produce some 40 --  
3 some version that includes only the -- the particular  
4 clip you're going to be asking about.

5 You've represented to me that this is  
6 something that was part of the production that  
7 Mr. Karim made. We, of course, reserve all rights to  
8 challenge authenticity for foundation.

9 MR. BROWNE: Okay. Perfect.

10 Q Now, Mr. Hurley, I'm gonna play for you --  
11 this is a very short video.

12 (Video Clip playing on laptop.)

13 (Unintelligible.)

14 SPEAKER 1: "It was like pretty impressed.  
15 You're basically right. It's like anywhere  
16 on the Internet you have a little that can  
17 control and, you know, basically serve up  
18 ads, and the whole of things with tags and,  
19 you know, what our viewers have seen before  
20 the flash. It's pretty --

21 SPEAKER 2: "So if we get them involved, at  
22 what point would we tell them our dirty  
23 little secret, which is that we actually just  
24 want to sell out quickly?

25 SPEAKER 1: "Are you filming?

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You're going to actually have to erase this.

SPEAKER 2: "No. It won't be released until after the acquisition."

MR. BROWNE: Q. Now, Mr. -- stop that.

Now, Mr. Hurley, have you ever seen that video before?

A I don't remember it.

Q Okay. Did you recognize the two individuals that were on camera during that video?

A I recognize Steve and myself, and it sounded like Jawed's voice.

Q Okay. And it sounded like -- and Mr. Karim's voice on the video, you recognized that?

A It sounded like it.

Q Did you hear yourself say on -- on -- on that video that -- that you have to -- something like "we'll have to erase the file"?

A I mean, yeah, it seemed like a pretty sarcastic remark to his sarcastic comment.

Q Okay. Now, when you were first in -- in discussions with Sequoia Capital about the Series A financing, did -- did Sequoia Capital value -- provide you with a valuation that they had for YouTube?

A Yeah, through the -- negotiation they would